

**Summary of Research on Concealed Carry Laws and Considerations for Protecting Public Safety
Following the US Supreme Court's Decision in *N.Y. Rifle & Pistol Association v. Bruen***

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I am Bloomberg Professor of American Health at Johns Hopkins where I have been studying gun violence and its prevention for over 30 years and previously led centers devoted to research to inform policies to prevent gun violence for 21 years and now serve as Distinguished Scholar for the Center for Gun Violence Solutions. I am not here to represent the views or position of the Johns Hopkins University; I have been invited to share my Center's research on concealed gun carrying policies and insights I have drawn through my research in the field.

There has been enormous change in state laws governing civilian carrying of concealed firearms over the past 40 years. In the 1980s, most states either strictly prohibited civilian carrying of concealed firearms outside the home or had restrictive laws that gave law enforcement wide discretion to deny applications to obtain licenses to carry concealed firearms. In the 1990s and early 2000s, many states began adopting so-called Shall Issue concealed carry laws which provided very little or no discretion to deny a license application to individuals who met all legal requirements to possess firearms in their homes. In recent years, more states began to drop all requirements to obtain a license to carry a concealed firearm and now 25 states have permitless carry laws.

Perhaps because there has been so much change in this area of law, many studies have been conducted to assess the effects of Right to Carry laws on violent crime. Unfortunately, many of those studies have been found to have significant methodological flaws. Studies using the most up to date data and the most sophisticated statistical methods have found that laws relaxing regulations on civilian gun carrying have led to increases in violent crime. A study of state-level data led by Stanford University economist and law professor John Donohue estimated that Right to Carry laws have, on average, increased violent crime rates by 13 to 15 percent over the first 10 years they are in place.¹ Professor Donohue released a study in 2022 using city-level crime data that estimated that Right to Carry laws, on average, increased violent crime committed with firearms by 29 percent and robberies with firearms by 32 percent.²

This study also demonstrated two key mechanisms by which RTC laws increase firearm violence, one directly and one indirectly. RTC laws were associated with a 35 percent increase in stolen firearms, much of this due to guns stolen from motor vehicles. To reduce such thefts, some states, such as Connecticut, have laws requiring any firearm left in a motor vehicle be kept out of sight in a trunk, locked safe, or locked glove box. Donohue also found that RTC laws were also associated with a 13 percent decrease in police clearance rates for violent crimes. Donohue and colleagues theorize that with police responding to more criminals armed with stolen guns as well as to more civilians with guns in public places, police resources become stretched and their ability to arrest violent criminals declines and violence increases. This research is important because it underscores how widespread civilian gun carrying can increase gun violence even if permit holders commit relatively few gun crimes.

Our Center for Gun Violence Solutions also published research last year that highly relevant to state policies concerning concealed gun carrying post *Bruen*.³ Ours was the first study to identify specific

provisions of Shall Issue concealed carry laws intended to minimize risks associated with civilian gun carrying. We examined whether the effects of transiting from May Issue to Shall Issue on violent crime depended on any of three provisions designed to screen out individuals who may be at increased risk of committing violent crimes – prohibitions for violent misdemeanants, prohibitions for “dangerousness” or for “not being of suitable character” – and one provision to promote safety among users, specifically whether a safety course with a live fire proficiency component was required. Across all transitions to Shall Issue laws we estimated an average increase in assaults with firearms of 9.5 percent. But law effects varied significantly depending on whether state law allowed individuals with convictions for violent misdemeanors to obtain licenses to carry concealed guns. Absent such prohibitions, Shall Issue laws increased assaults with guns by a statistically significant 12.7 per 100,000 population per year – 4.5 times more than the estimated increase in gun assaults when violence misdemeanants were barred.

Fortunately, current Maryland law prohibits individuals convicted of most crimes of violence from possessing regulated firearms such as handguns. Lawmakers may want to consider extending prohibitions beyond the time someone is subject to a restraining order for domestic violence. Often such individuals have used or threatened their intimate partner or family member with a firearm but not been convicted of a crime. Strong firearm laws disarming persons under restraining orders have been shown to save lives.⁴ Extending prohibitions for concealed carry permits for three to five years after restraining orders expire would be prudent public policy to reduce the risk of gun violence.

We did not find that the effects of Shall Issue laws varied significantly based on the other provisions. We speculate that laws allowing denial of concealed carry licenses based on “dangerousness” or “unsuitability” were not consistently used by Shall Issue states. We also acknowledge that distinguishing states with live fire training requirements may not meaningfully distinguish states that effectively screen out unqualified or unsafe handlers of firearms due to relatively low standards for determining proficiency. Maryland is better than most states. To obtain a license to carry a concealed firearm in public, Maryland requires 16 hours of training consists of 16 hours (8 hours for renewal) with classroom instruction on state firearm laws, home firearm safety, handgun mechanisms and operation, plus a “firearm qualifications component that demonstrates the applicant’s proficiency and use of the firearm.” This component must include applicants firing at least 25 rounds at targets at a distance no farther than 15 yards away and hitting a silhouette with 70% of the rounds (COMAR 29.03.02.05).

No state has a proficiency test that attempts to assess whether an individual can make appropriate decisions under stress about when it is lawful and necessary to use a firearm in response to potential threats and then effectively use the firearm when appropriate. In other words, no state truly tests the ability to safely do what they are receiving a license to do. Virtual reality systems could be developed to create fair and efficient tests of responses to realistic scenarios to identify individuals who, if armed in public places, could pose significant risks to others without enhancing their own or others’ safety. Such systems are routinely used by law enforcement agencies.

New York and other states have responded to the recent Supreme Court ruling by placing restrictions on civilian gun carrying in sensitive places based on the presence of very large crowds (e.g., stadiums, arenas, public transit), alcohol use (e.g., bars), or children (schools and childcare facilities) as well as certain government buildings. I am aware of no valid research on the effects of similar firearm restrictions to inform Maryland policy. I will acknowledge what some will say is obvious; fights and other acts of aggression are common in many crowded places, especially if alcohol and drunkenness are common. The presence of firearms in such situations would likely lead to unnecessary deaths, injuries, and lasting trauma.

According to Giffords Law Center, Maryland has no statutes prohibiting the possession of firearms with a proper carry permit in the following locations: hospitals, places of worship, places where alcohol is served, sports arenas, gambling facilities, and polling places.⁵ Such restrictions may be prudent.

Research Cited

¹ Donohue JJ, Aneja A, Weber KD. Right-to-Carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis. *Journal of Empirical Legal Studies* 2019; 16(2): 198–247.

² Donohue JJ, Cai SV, Bondy MV, Cook PJ. More Guns, More Unintended Consequences: The Effects of Right-to-Carry on Criminal Behavior and Policing in US Cities. NBER Working Paper No. 30190, June 2022.

³ Doucette ML, McCourt AD, Crifasi CK, Webster DW. Impact of Changes to Concealed Carry Weapons Laws on Fatal and Non-Fatal Violent Crime, 1980-2019. *American Journal of Epidemiology*, 2022 Sep 14:kwac160. doi: 10.1093/aje/kwac160.

⁴ Zeoli AM, McCourt A, Buggs S, Lilley D, Frattaroli S, Webster DW. Analysis of the strength of legal firearms restrictions for perpetrators of domestic violence and their impact on intimate partner homicide. *American Journal of Epidemiology* 2018;187(11):2365–2371. doi: 10.1093/aje/kwy174

⁵ <https://giffords.org/lawcenter/state-laws/location-restrictions-in-maryland/>